

NO. 25786

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

TERRY M. TURNER, Petitioner,

vs.

JAMES PROPOTNICK, Respondent.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS

(By: Moon, C.J., Levinson, Nakayama and Acoba, JJ.,
and Circuit Judge Nakea, assigned by reason of vacancy)

Upon consideration of Petitioner Terry M. Turner's petition for a writ of habeas corpus, the papers in support, and the records and files herein,

IT IS HEREBY ORDERED that the petition is denied without prejudice to Petitioner seeking any remedy he may have in the circuit court. See Oili v. Chang, 57 Haw. 441, 557 P.2d 787 (1976) (an appellate court ordinarily will not exercise its original jurisdiction in habeas corpus proceedings when relief is available in a lower court and no special reason exists for invoking its jurisdiction).

DATED: Honolulu, Hawai'i, July 3, 2003.

Terry M. Turner,
petitioner pro se
on the petition